

"EXPRESS MAIL" Mailing Label No. EV 048370455 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Firmin Garcia ) PATENT APPLICATION  
Serial No.: Not Yet Designated ) Attorney Docket: VAL1599P0261US  
Filing Date: Concurrently Herewith ) Group Art Unit:  
For: FLUID PRODUCT DISPENSER ) Not Yet Designated  
Examiner: Not Yet Designated )

PRELIMINARY AMENDMENT

Commissioner For Patents  
Washington, D.C. 20231

Sir:

Please enter this Preliminary Amendment before examining the application and calculating the filing fee.

The Preliminary Amendment refers to the enclosed English language application as executed by the inventor.

IN THE ABSTRACT:

Please replace the ABSTRACT on the last page (unnumbered as filed), lines 1-12, with the following re-written ABSTRACT which is supported by the originally filed specification and claims:

--A B S T R A C T

A fluid product dispenser includes: a fluid product tank, a dispenser part comprising a pierced membrane connected directly to the tank, a mechanism to

vibrate the pierced membrane, and an actuator button to activate the vibration mechanism. The tank is located above the pierced membrane such that the fluid product is supplied to the membrane from the tank using the force of gravity under normal operating conditions. The membrane is connected to the tank by a passage provided with an inlet valve capable of opening and cutting off the passage selectively.--

**IN THE CLAIMS:**

Please amend claim 1 as follows:

1. (Amended) Fluid product dispenser comprising:

a fluid product tank,

a dispenser part comprising a pierced membrane connected directly to the tank, vibration means to vibrate the pierced membrane,

an actuator button to activate the vibration means,

under normal operating conditions, the tank being located above the pierced membrane such that the fluid product is supplied to the membrane from the tank using the force of gravity, wherein the membrane is connected to the tank by a passage provided with an inlet valve capable of opening and cutting off the passage selectively.

Please amend claim 2 as follows:

2. (Amended) Dispenser of claim 1 including a bottom that is intended to come into contact in the rest position with a surface that is more or less horizontal, the tank then being located above the vibrating membrane.

Please amend claim 3 as follows:

3. (Amended) Dispenser of claim 1, wherein the vibration means and inlet valve are electrically controlled.

Please amend claim 4 as follows:

4. (Amended) Dispenser of claim 1, wherein inlet valve is open when the vibration means are actuated.

Please amend claim 5 as follows:

5. (Amended) Fluid product dispenser comprising:

a fluid product tank,

a dispenser part comprising a pierced membrane connected directly to the tank,  
vibration means to vibrate the pierced membrane,

an actuator button to activate the vibration means,

under normal operating conditions, the tank being located above the pierced membrane such that the fluid product is supplied to the membrane from the tank using the force of gravity, wherein the tank comprises an upper section provided with a venting passage.

Please amend claim 6 as follows:

6. (Amended) Dispenser of claim 5, wherein the venting passage comprises a part made of a porous material.

Please amend claim 7 as follows:

7. (Amended) Dispenser of claim 6, wherein the actuator button masks the part made of a porous material.

Please amend claim 8 as follows:

8. (Amended) Dispenser of claim 5, wherein the actuator button is located in the upper section of the tank, the venting passage being formed around the actuator button between the actuator button and the upper section of the tank.

Please amend claim 9 as follows:

9. (Amended) Fluid product dispenser comprising:

a fluid product tank,

a dispenser part comprising a pierced membrane connected directly to the tank,

vibration means to vibrate the pierced membrane,

an actuator button to activate the vibration means,

under normal operating conditions, the tank being located above the pierced membrane such that the fluid product is supplied to the membrane from the tank using the force of gravity, wherein the pierced membrane constitutes a part of the surface of the tank.

**REMARKS**

The amendments to the application have been made to provide more apt English terms in the translated ABSTRACT, and to conform with U.S. practice.

The claims have been amended to conform to them to U.S. practice by removing element numbers and to number claim 5.

Applicant believes that these amendments are fully supported by the international application and does not believe that these amendments constitute new matter.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached marked-up version is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Entry of the amendments is respectfully requested.

Respectfully submitted,

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By



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE ABSTRACT**

The ABSTRACT on the last page (unnumbered as filed), lines 1-12, has been re-written as follows:

**[ABSTRACT**

**FLUID PRODUCT DISPENSER]**

A f[F]luid product dispenser [comprising] includes: [-] a fluid product tank [(2)], [-] a dispenser part comprising a pierced membrane [(3)] connected directly to the tank [(2), - vibration means (34)], a mechanism to vibrate the pierced membrane [(3)], and [-] an actuator button [(9)] to activate the vibration [means,] mechanism. [under normal operating conditions,] T[t]he tank [(2) being] is located above the pierced membrane [(3)] such that the fluid product is supplied to the membrane from the tank using the force of gravity under normal operating conditions. [, wherein t] The membrane [(3)] is connected to the tank [(2)] by a passage [(27)] provided with an inlet valve capable [(4)] of opening and cutting off the passage [(27)] selectively.

[Single figure]

**IN THE CLAIMS:**

Claim 1 has been amended as follows:

1. (Amended) Fluid product dispenser comprising:

[-] a fluid product tank [(2)],

[-] a dispenser part comprising a pierced membrane [(3)] connected directly to

the tank [(2)],

[-] vibration means [(34)] to vibrate the pierced membrane [(3)],

[-] an actuator button [(9)] to activate the vibration means,

under normal operating conditions, the tank [(2)] being located above the pierced membrane [(3)] such that the fluid product is supplied to the membrane from the tank using the force of gravity, wherein the membrane [(3)] is connected to the tank [(2)] by a passage [(27)] provided with an inlet valve capable [(4)] of opening and cutting off the passage [(27)] selectively.

Claim 2 has been amended as follows:

2. (Amended) Dispenser of claim 1 including a bottom [(11)] that is intended to come into contact in the rest position with a surface that is more or less horizontal, the tank [(2)] then being located above the vibrating membrane [(3)].

Claim 3 has been amended as follows:

3. (Amended) Dispenser of claim 1, wherein the vibration means [(34)] and inlet valve [(4)] are electrically controlled.

Claim 4 has been amended as follows:

4. (Amended) Dispenser of claim 1, wherein inlet valve [(4)] is open when the vibration means [(34)] are actuated.

Claim 5 has been amended as follows:

5. (Amended) Fluid product dispenser comprising:

[-] a fluid product tank [(2)],

[-] a dispenser part comprising a pierced membrane [(3)] connected directly to the tank [(2)],

[-] vibration means [(34)] to vibrate the pierced membrane [(3)],

[-] an actuator button [(9)] to activate the vibration means,

under normal operating conditions, the tank [(2)] being located above the

pierced membrane [(3)] such that the fluid product is supplied to the membrane from the tank using the force of gravity, wherein the tank [(2)] comprises an upper section [(21)] provided with a venting passage [(92)].

Claim 6 has been amended as follows:

6. (Amended) Dispenser of claim 5, wherein the venting passage [(92)] comprises a part made of a porous material [(91)].

Claim 7 has been amended as follows:

7. (Amended) Dispenser of claim 6, wherein the actuator button [(9)] masks the part made of a porous material [(91)].

Claim 8 has been amended as follows:

8. (Amended) Dispenser of claim 5, wherein the actuator button [(9)] is located in the upper section [(21)] of the tank [(2)], the venting passage [(92)] being formed around the actuator button between the actuator button [(9)] and the upper section [(21)] of the tank [(2)].

Claim 9 has been amended as follows:

9. (Amended) Fluid product dispenser comprising:  
[-] a fluid product tank [(2)],  
[-] a dispenser part comprising a pierced membrane [(3)] connected directly to the tank [(2)],  
[-] vibration means [(34)] to vibrate the pierced membrane [(3)],  
[-] an actuator button [(9)] to activate the vibration means,  
under normal operating conditions, the tank [(2)] being located above the pierced membrane [(3)] such that the fluid product is supplied to the membrane from the tank using the force of gravity, wherein the pierced membrane [(3)] constitutes a part of the surface of the tank [(2)].